

RESOLUTION NO. 09-141

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA CONSENTING TO AN ASSIGNMENT OF CONTRACT DATED DECEMBER 1, 2007 BETWEEN WORLD WASTE SERVICES, INC. AND THE CITY OF HIALEAH TO WASTE MANAGEMENT INC. OF FLORIDA, PURSUANT TO AN AWARD OF BID NO. 2007/08-3240-12-014 FOR THE REMOVAL OF CONSTRUCTION & DEMOLITION, SPECIAL WASTE AND LAND CLEARING DEBRIS FROM THE YARD LOCATED AT THE STREETS DEPARTMENT, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".

WHEREAS, pursuant to Bid No. 2007/08-3240-12-014, the City of Hialeah awarded a bid in 2007 to World Waste Services, Inc. for the removal of Construction and Demolition, special waste and land clearing debris based on a fixed price per roll-off for C&D and land clearing debris and a rate for the special of special waste material (road muck debris) based on tonnage and disposal and transport fees; and

WHEREAS, on September 10, 2009, Waste Management Inc. of Florida acquired substantially all of the assets of World Waste Services, Inc., including the current contract between World Waste Services, Inc. and the City of Hialeah, pending consent to such assignment by the City; and

WHEREAS, the City has no objection to this assignment provided, however, that all contractual obligations will be honored by the assignee, Waste Management Inc. of Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

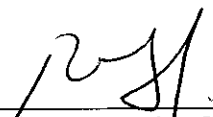
Section 2: The Mayor and the City Council of the City of Hialeah, Florida hereby consents to an assignment of contract dated December 1, 2007 between World Waste Services, Inc. and the City of Hialeah to Waste Management Inc. of Florida, pursuant to the award of Bid No. 2007/08-3240-12-014 for the removal of Construction & Demolition, special waste and land clearing debris from the yard located at the Streets Department, a copy of which is attached hereto and made a part hereof as Exhibit "1".

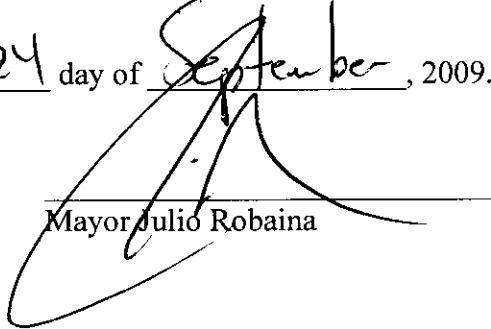
PASSED AND ADOPTED this 22nd day of September, 2009.


Carlos Hernandez
Council President

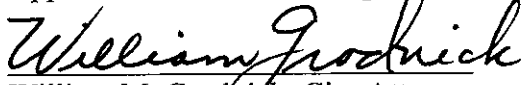
Attest:

Approved on this 24 day of September, 2009.


Rafael E. Granado, City Clerk


Mayor Julio Robaina

Approved as to form and legal sufficiency:


William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".

CONSENT

World Waste Services, Inc. ("World Waste") hereby notifies the City of Hialeah that it is in discussions with Waste Management Inc. of Florida ("WM") to transfer certain assets used in its solid waste collection and disposal business (the "Contemplated Transaction"), including the Construction and Demolition Special Waste and Land Clearing Debris Removal Contract (Bid# 2007/08 3240-12-014) dated as of December 1, 2007, between World Waste and City of Hialeah (the "Contract").

The City of Hialeah hereby consents to: (a) the assignment of the Contract in its entirety to WM effective as of the date of the closing of the Contemplated Transaction, and (b) the release of World Waste from any obligation under the Contract arising from and after the date of the closing of the Contemplated Transaction.

The undersigned has executed this Consent as of ^{September}~~August~~ 25, 2009.

City of Hialeah

By: _____

Name: Julio Robaina

Title: Mayor

Attest: _____

Angel E. Granada
City Clerk

Approved as to form and
legal sufficiency:

William M. Grodnick
William M. Grodnick
City Attorney